

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT ZIMMERMAN, et al.,
Plaintiffs,
v.
FACEBOOK, INC., et al.,
Defendants.

Case No. 19-cv-04591-VC

**ORDER DENYING MOTION FOR
FINAL JUDGMENT AND MOTION
FOR RECONSIDERATION**

Re: Dkt. No. 53

Zimmerman’s motion for final judgment and request to file an interlocutory appeal on his account-related claims is denied. Generally, courts should only enter final judgment on a subset of claims if those claims are sufficiently divisible from the remaining claims that the interlocutory appeal would not result in piecemeal litigation. *See Jewel v. National Security Agency*, 810 F.3d 622, 625, 627-28 (9th Cir. 2015). Zimmerman himself asserts that he cannot “reasonably prosecute [his] privacy-related claims separately from the permanent account revocation claims.” Dkt. No. 53 at 5, 22. And the Court gave Zimmerman the opportunity to pursue his account-related claims separately from his privacy related claims (at issue in the Facebook MDL), but Zimmerman’s amended complaint purporting to do this failed to distinguish between the two types of claims in any way.

Zimmerman’s motion for reconsideration is also denied. Zimmerman failed to get permission from the Court before filing his motion, as required by the local rules, and failed to identify new evidence or law, clear error in the Court’s prior ruling, or an intervening change in controlling law that would merit reconsideration of the earlier ruling. *See Civil Local Rule 7-9; Smith v. Clark County School District*, 727 F.3d 950, 955 (9th Cir. 2013). For substantially the same reasons, Zimmerman’s request to lift the stay is similarly denied.

IT IS SO ORDERED.

Dated: December 10, 2020

A handwritten signature in black ink, appearing to read 'V. Chhabria', is positioned above a horizontal line.

VINCE CHHABRIA
United States District Judge